

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 20-424
v.	:	DATE FILED: May 25, 2021
CHRISTIAN S. DUNBAR	:	VIOLATIONS:
	:	18 U.S.C. § 656 (bank embezzlement by
	:	bank employee - 3 counts)
	:	18 U.S.C. § 1425(a) (procurement of
	:	naturalization through a false statement -
	:	1 count)
	:	18 U.S.C. § 1425(b) (procurement of
	:	naturalization unlawfully - 1 count)
	:	18 U.S.C. § 1426(b) (false citizenship
	:	papers - 2 counts)
	:	18 U.S.C. § 1015 (false statement in
	:	support of naturalization - 7 counts)
	:	26 U.S.C. § 7206(1) (filing false income
	:	tax returns – 2 counts)
	:	26 U.S.C. § 7203 (failure to file tax
	:	returns – 3 counts)
	:	Notice of forfeiture

SUPERSEDING INDICTMENT

COUNTS ONE THROUGH THREE
(Bank Embezzlement by Bank Employee)

THE GRAND JURY CHARGES THAT:

At all times relevant to this Superseding Indictment:

1. Wells Fargo Bank was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation.
2. Defendant CHRISTIAN S. DUNBAR was an employee at Wells Fargo Bank at the Newtown Square branch located at 3515 West Chester Pike, Newtown Square, Pennsylvania. His job title was Private Banker.

3. J.H., known to the grand jury, was an account holder at Wells Fargo Bank.

4. W.D., known to the grand jury, was an account holder at Wells Fargo

Bank.

5. On or about the dates listed below, each date constituting a separate offense, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR,

while being an employee, that is, a Private Banker, of Wells Fargo Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, knowingly embezzled, abstracted, purloined, and willfully misapplied moneys and funds of, and intrusted to the custody and care of, Wells Fargo Bank, as described below.

<u>Count</u>	<u>On or About Date</u>	<u>Amount</u>	<u>Nature of Unauthorized Transaction</u>
One	December 17, 2015	\$5,000.00	Withdrawal from J.H. account #xxxxxx2124
Two	December 28, 2015	\$5,000.00	Withdrawal from W.D. account #xxxxxx3118
Three	January 7, 2016	\$5,000.00	Withdrawal from W.D. account #xxxxxx3118

All in violation of Title 18, United States Code, Section 656.

COUNT FOUR
(Procurement of Naturalization through a False Statement)

THE GRAND JURY FURTHER CHARGES THAT:

From on or about July 7, 2015 through on or about January 8, 2016, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly procured, contrary to law, naturalization as a United States citizen for himself, by making in connection with his application for naturalization knowingly false representations and statements on his Form N-400, Application for Naturalization, Form N-445, Notice of Naturalization Oath Ceremony, and in sworn statements to immigration and naturalization officials, that:

a. he had lived in marital union with his United States citizen spouse, a person known to the grand jury, at 243 Bainbridge Street in Philadelphia, Pennsylvania, for the three years immediately preceding the filing of his N-400, Application for Naturalization, that is, from July 8, 2012 through July 7, 2015, when in fact, as defendant DUNBAR knew, these representations and statements were false based on the fact he was cohabitating with F.N.D., known to the grand jury, at the addresses of 4530 and 4930 Sansom Street in Philadelphia, Pennsylvania during that period of time.

b. he had not committed, assisted in committing, or attempted to commit a crime or offense for which he had not been arrested, when in fact, as defendant DUNBAR knew, these representations and statements were false based on his crimes committed beginning on or about December 17, 2015 through at least on or about January 8, 2016, that is, embezzlement by a bank employee, in violation of 18 U.S.C. § 656.

In violation of Title 18, United States Code, Section 1425(a).

COUNT FIVE
(Procurement of Naturalization Unlawfully)

THE GRAND JURY FURTHER CHARGES THAT:

From on or about July 7, 2015 through on or about January 8, 2016, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly procured, obtained and applied for naturalization as a United States citizen for himself, to which he was not entitled, because at the of time of his application for naturalization:

a. defendant DUNBAR could not satisfy the requirements for naturalization, pursuant to Title 8, United States Code, Section 1427, in that he was not a person of “good moral character,” given that he provided false statements and representations for the purpose of obtaining any benefits under Chapter 12 of Title 8 of the United States Code, as set forth and charged in Counts Eight through Fourteen of this Superseding Indictment;

b. defendant DUNBAR could not satisfy the requirements for naturalization, pursuant to Title 8, United States Code, Section 1427, in that he was not a person of “good moral character,” given that before he certified Form N-445, the Notice of Naturalization Oath Ceremony, on or about January 8, 2016, he had committed the crime of embezzlement by a bank employee in December 2015 and January 2016 as alleged in Counts One, Two, and Three; and

c. defendant DUNBAR could not satisfy the requirements for naturalization, pursuant to Title 8, United States Code, Section 1430(a), in that he was not living in marital union with his United States citizen spouse for the three years immediately preceding the filing of his N-400, Application for Naturalization.

In violation of Title 18, United States Code, Section 1425(b).

COUNT SIX
(False Citizenship Papers)

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 21, 2015, in the Eastern District of Pennsylvania,
defendant

CHRISTIAN S. DUNBAR

knowingly used as true and genuine a purported 2011 lease for 243 Bainbridge Street in Philadelphia, Pennsylvania, that was required by law relating to his application for naturalization by submitting this lease to immigration and naturalization officials, knowing the lease was false, forged, altered, antedated and counterfeited.

In violation of Title 18, United States Code, Section 1426(b).

COUNT SEVEN
(False Citizenship Papers)

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 21, 2015, in the Eastern District of Pennsylvania,
defendant

CHRISTIAN S. DUNBAR

knowingly used as true and genuine, a Form W-2, Wage and Tax Statement, purportedly issued by Wells Fargo Bank that was required by law relating to his application for naturalization by submitting this W-2 to immigration and naturalization officials, knowing this Form W-2 was false, forged, altered, antedated and counterfeited.

In violation of Title 18, United States Code, Section 1426(b).

COUNT EIGHT
(False Statement in Support of Naturalization)

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 21, 2015, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly made a false statement under oath in a proceeding and matter relating to naturalization, citizenship, and registry of aliens, in that in his Form N-400, Application for Naturalization, defendant DUNBAR stated under oath according to Part 1, Question 2, that he had been married to and living with the same United States citizen spouse for the last three years and his spouse had been a United States citizen for the last three years at the time of filing his N-400, when in fact, as defendant DUNBAR knew, the statement was false and fictitious.

In violation of Title 18, United States Code, Section 1015(a).

COUNT NINE
(False Statement in Support of Naturalization)

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 21, 2015, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly made a false statement under oath in a proceeding and matter relating to naturalization, citizenship, and registry of aliens, in that in his Form N-400, Application for Naturalization, defendant DUNBAR stated under oath according to Part 4, Question 1, that from December 10, 2011 to October 21, 2015 he had lived at 243 Bainbridge Street, Philadelphia, Pennsylvania, when in fact, as defendant DUNBAR knew, the statement was false and fictitious.

In violation of Title 18, United States Code, Section 1015(a).

COUNT TEN
(False Statement in Support of Naturalization)

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 21, 2015, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly made a false statement under oath in a proceeding and matter relating to naturalization, citizenship, and registry of aliens, in that in his Form N-400, Application for Naturalization, defendant DUNBAR stated under oath according to Part 9, Question 1, that his marital status to his United States citizen spouse, a person known to the grand jury, was “married” and not “separated,” when in fact, as defendant DUNBAR knew, the statement was false and fictitious.

In violation of Title 18, United States Code, Section 1015(a).

COUNT ELEVEN
(False Statement in Support of Naturalization)

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 21, 2015, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly made a false statement under oath in a proceeding and matter relating to naturalization, citizenship, and registry of aliens, in that in his Form N-400, Application for Naturalization, defendant DUNBAR stated under oath according to Part 10, Question A.5, that his child, A.D., known to the grand jury, resided at 243 Bainbridge Street, Philadelphia, Pennsylvania, when in fact, as defendant DUNBAR knew, the statement was false and fictitious.

In violation of Title 18, United States Code, Section 1015(a).

COUNT TWELVE
(False Statement in Support of Naturalization)

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 21, 2015, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly made a false statement under oath in a proceeding and matter relating to naturalization, citizenship, and registry of aliens, in that in his Form N-400, Application for Naturalization, defendant DUNBAR stated under oath according to Part 11, Question 31, that he had not ever given any U.S. Government official any information or documentation that was false, fraudulent, or misleading, when in fact, as defendant DUNBAR knew, the statement was false and fictitious.

In violation of Title 18, United States Code, Section 1015(a).

COUNT THIRTEEN
(False Statement in Support of Naturalization)

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 21, 2015, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly made a false statement under oath in a proceeding and matter relating to naturalization, citizenship, and registry of aliens, in that in his Form N-400, Application for Naturalization, defendant DUNBAR stated under oath according to Part 11, Question 32, that he had not ever lied to any United States Government official to gain entry or admission into the United States or to gain immigration benefits while in the United States, when in fact, as defendant DUNBAR knew, the statement was false and fictitious.

In violation of Title 18, United States Code, Section 1015(a).

COUNT FOURTEEN
(False Statement in Support of Naturalization)

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 8, 2016, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

knowingly made a false statement under oath in a proceeding and matter relating to naturalization, citizenship, and registry of aliens, in that in his Form N-445, Notice of Naturalization Oath Ceremony, defendant DUNBAR stated in response to question 3 that he had not committed any crime or offense, for which he had not been arrested, when in fact, as defendant DUNBAR knew, the statement was false and fictitious.

In violation of Title 18, United States Code, Section 1015(a).

COUNT FIFTEEN
(Filing a False Federal Income Tax Return)

THE GRAND JURY FURTHER CHARGES THAT:

At all times relevant to this Superseding Indictment:

1. The Internal Revenue Service (“IRS”) was an agency of the United States Department of Treasury, responsible for administering and enforcing the tax laws of the United States.
2. Citizens and residents of the United States who earned income during a calendar year in excess of a threshold amount were obligated to file a U.S. Individual Income Tax Return, Form 1040, with the IRS for that calendar year.
3. KSEP, LLC, sometimes d/b/a Philagrow, (hereinafter “KSEP”) was a Pennsylvania limited liability company partnership created on or about July 7, 2016. KSEP raised capital from its Members and submitted a Medical Marijuana Dispensary Permit Application to the Pennsylvania Department of Health in 2017 and 2018. The applications were denied, and KSEP eventually dissolved.
4. Defendant CHRISTIAN S. DUNBAR was a Member of KSEP. Because defendant DUNBAR lacked sufficient funds to make a capital contribution, Investors A.Z. and M.N. together made a \$100,000 capital contribution to KSEP in defendant DUNBAR’s name. A.Z., M.N. and defendant DUNBAR agreed that defendant DUNBAR would share in the profits, along with A.Z. and M.N., if KSEP were profitable, but that defendant DUNBAR would not be entitled to claim any losses on his tax returns because he did not himself contribute any capital. The losses would be allocated to A.Z. and M.N.
5. KSEP was required to file a U.S. Partnership Income Tax Return, Form 1065 (Schedule K-1), with the IRS each year. For tax years 2017 and 2018, KSEP distributed

Schedule K-1 to defendant CHRISTIAN S. DUNBAR reflecting no loss allocation for defendant DUNBAR.

6. On or about August 28, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

willfully made and subscribed a United States Individual Income Tax Return, Form 1040, for the calendar year 2017, which was verified by a written declaration that it was made under the penalty of perjury and was filed with the Internal Revenue Service, which Income Tax Return defendant DUNBAR did not believe to be true and correct as to every material matter, in that the return reported a Schedule E loss of \$74,365 (line 17) in connection with KSEP for the calendar year 2017, when, as defendant DUNBAR then and there knew and believed, he was not entitled to that loss deduction.

All in violation of Title 26, United States Code, Section 7206(1).

COUNT SIXTEEN
(Filing a False Federal Income Tax Return)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 of Count Fifteen are fully incorporated herein.
2. On or about February 18, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

willfully made and subscribed a United States Individual Income Tax Return, Form 1040, for the calendar year 2018, which was verified by a written declaration that it was made under the penalty of perjury and was filed with the Internal Revenue Service, which defendant DUNBAR did not believe to be true and correct as to every material matter, in that the return reported Schedule E loss of \$35,635 (line 17) in connection with KSEP for the calendar year 2018, when, as defendant DUNBAR then and there knew and believed, he was not entitled to that loss deduction.

All in violation of Title 26, United States Code, Section 7206(1).

COUNTS SEVENTEEN THROUGH NINETEEN
(Failure to File Tax Returns)

THE GRAND JURY FURTHER CHARGES THAT:

1. From on or about 2015 through 2016, defendant CHRISTIAN S. DUNBAR received gross income consisting of salary from Wells Fargo Bank, and from on or about 2016 through 2019, defendant DUNBAR received gross income consisting of salary from the City of Philadelphia.

2. During the calendar years set forth below, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CHRISTIAN S. DUNBAR

a resident of Philadelphia, had and received gross income substantially in excess of the minimum filing requirement, and that by reason of such gross income he was required by law, following the close of each calendar year and on or before dates listed below, to make an income tax return to the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, or other proper officer of the United States, stating specifically the items of his gross income and any deductions and credits to which he was entitled; that knowing this, he willfully failed to make an income tax return to the Director of the Internal Revenue Service Center, or to any other proper officer of the United States, each calendar year constituting a separate offense:

<u>COUNT</u>	<u>CALENDAR YEAR</u>	<u>DATE DUE</u>	<u>GROSS INCOME</u>
17	2015	April 18, 2016	\$56,120

18	2016	April 18, 2017	\$76,616
19	2019	July 15, 2020	\$114,519

All in violation of Title 26, United States Code, Section 7203.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As the result of the violation of Title 18, United States Code, Section 656, as charged in Count One, defendant

CHRISTIAN S. DUNBAR

shall forfeit to the United States any and all property constituting, or derived from, proceeds obtained directly or indirectly, as the result of such violation, including, but not limited to the sum of \$15,000.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,


it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:



GRAND JURY FOREPERSON


JENNIFER ARBITTIER WILLIAMS
ACTING UNITED STATES ATTORNEY

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

CHRISTIAN DUNBAR

SUPERSEDING INDICTMENT

Counts

18 U.S.C. § 656 (bank embezzlement by bank employee - 3 counts)
18 U.S.C. § 1425(a) (procurement of naturalization through a false statement - 1 count)

18 U.S.C. § 1425(b) (procurement of naturalization unlawfully - 1 count)

18 U.S.C. § 1426(b) (false citizenship papers - 2 counts)

18 U.S.C. § 1015 (false statement in support of naturalization - 7 counts)

26 U.S.C. § 7206(1) (filing false income tax returns – 2 counts)

26 U.S.C. § 7203 (failure to file tax returns – 3 counts)

Notice of forfeiture

A true bill


Foreman

Filed in open court this _____ day,
Of _____ A.D. 20 _____

Clerk

Bail, \$ _____
